

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DONNELL GARDNER and MICHAEL
LOCKE,

Plaintiffs,

v.

ILLINOIS DEPARTMENT OF
CORRECTIONS,

Defendant.

Case No. 07-cv-785-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on Stipulation of Dismissal (Doc. 28) pursuant to Federal Rule of Civil Procedure 41 (a)(1)(A)(ii) signed by all parties who have appeared in this case. Rule 41(a)(1)(A)(ii) allows dismissal by a plaintiff without a court order by filing such a stipulation. Therefore, the Court finds that this action is **DISMISSED with prejudice** and **DIRECTS** the Clerk of court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: May 20, 2009

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE